

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

NICHOLAS HOGAN,

Defendant.

CASE NO. CR16-0154 JCC

ORDER CONTINUING TRIAL

Before this Court is Defendant Nicholas Hogan's motion for continuance of the trial date (Dkt. No. 10), which is presently scheduled for August 8, 2016, and for an extension of the pretrial motions cutoff date of June 23, 2016. The Government does not oppose this motion. (Dkt. No. 10 at 1.) Mr. Hogan has waived his speedy trial right through December 5, 2016. (Dkt. No. 11.)

Defense counsel is currently in trial in Pierce County Superior Court, and has several additional trials scheduled over the next few months, as well as other engagements. (Dkt. No. 10 at 3.) The Court therefore finds, pursuant to 18 U.S.C. 3161(h)(7)(B)(i)), that the failure to grant a continuance would result in a miscarriage of justice in that defense counsel would not be adequately prepared to investigate, negotiate or litigate Mr. Hogan's case. The Court further finds, pursuant to 18 U.S.C. 3161(h)(7)(A), that the ends of justice in granting a continuance outweigh the best interest of the public and Mr. Hogan in a speedy trial.

For these reasons, the Court GRANTS Mr. Hogan's motion for a continuance. The trial date

1 scheduled for August 8, 2016 is VACATED. The trial shall be RESCHEDULED to December 5,
2 2016 at 9:00 a.m. The pretrial motions cutoff date scheduled for June 23, 2016 is VACATED. The
3 pretrial motions cutoff date shall be RESCHEDULED to October 14, 2016.

4 Any and all period of delay resulting from the granting of this continuance—from the date
5 of the filing of Mr. Hogan's motion until the date of the rescheduled trial—shall be excludable time
6 pursuant to 18 U.S.C. §§ 3161(h)(1)(D) and (h)(7)(A).

7 IT IS SO ORDERED.

8 DATED this 14th day of June 2016.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE